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MEMO ENDORSED

April 28, 2020

Hon. Ona T. Wang
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse, Court 20D
500 Pearl St.
New York, NY 10007-1312

Re: HDI Global SE v. M/V HONOR et al
19-civ-00923

Dear Judge Wang;

We represent International Auto Logistics, LLC (“IAL”) in the referenced action. IAL was the shipper of privately owned vehicles carried aboard the car carrying vessel M/V HONOR.

STATEMENT OF FACTS

IAL is a party to a contract with the United States Transportation Command managed by the Department of Defense (“DoD”). The contract is to arrange the transportation of military personnel’s privately owned vehicles (“POVs”). The DoD is required to transport cars owned by military personnel who are deployed overseas. Pursuant to the global contract, IAL handles the transportation arrangements of these vehicles for the DoD. In order to actually transport the vehicles, IAL entered into “Ocean Carrier Agreement” with defendant American Roll-On Roll-Off Carrier, LLC (“ARC”) dated March 13, 2015 for carriage of POVs between the United States and Bremerhaven, Germany and Southampton, UK.

On or about February 20, 2017, IAL (as shipper), delivered 591 POVs at the Port of Bremerhaven to ARC for carriage aboard the M/V HONOR to the United States. The ship is a 623-foot “roll-on/roll-off” car and truck carrier. IAL delivered the POVs to ARC’s ocean terminal at Bremerhaven, BLG Auto Terminal, where the POVs were loaded aboard an ARC vessel. At some point before 3 a.m. on February 24, 2017, shortly after the vessel departed its second load port of Southampton, England, a fire occurred on the ‘garage deck’, where IAL’s vehicles were stowed.

ARC has asserted a claim against IAL for in excess of \$1.5 million for alleged damage to the vessel and for indemnity as against claims made by the insurers of other vehicles damaged by the fire. IAL served ARC demands for production on or about **November 25, 2019**. As of this date, ARC has failed to serve formal written responses and failed to produce documents demanded in this November 25, 2019 document request. The undersigned has made numerous attempts meet and confer attempts to obtain responses to these demands, including emails to and telephone conversations with counsel for ARC. Counsel for ARC has made numerous representations that documents and responses will be provided, but this has not happened.

As a result of the ARC’s failure to comply with its basic discovery obligations, the undersigned respectfully requests a pre-motion conference.

/s Michael E. Stern
Michael E. Stern, Esq.

The Court has reviewed IAL's letter motion and the response from the vessel interests at ECF 63. The application is **DENIED** at this time. Parties are directed to file a joint status letter on the case by **May 29, 2020**.

SO ORDERED.



Ona T. Wang 5/7/2020
U.S. Magistrate Judge